

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Main Street America Assurance Company, :
:
Plaintiff, :
:
v. : Case No. 2:21-cv-03977 (MAK)
:
Howard Lynch Plastering, Inc. :
:
and :
:
W.B. Homes, Inc., :
:
Defendants. :
:

ORDER

AND NOW, this ____ day of February 2022, upon considering Plaintiff Main Street America Assurance Company's ("MSAAC's") motion for summary judgment or, alternatively, for default judgment (ECF No. 19) seeking a declaration as to coverage under general liability policies that MSAAC issued to Defendant Howard Lynch Plastering, Inc. ("Howard Lynch") ("MSAAC Policies"), the response (ECF No. __), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. MSAAC's motion for summary judgment (ECF No. 19) is **GRANTED**, requiring that this Court declare:

- That MSAAC is not obligated under the MSAAC Policies to defend, indemnify, or reimburse Howard Lynch or Defendant W.B. Homes, Inc. ("W.B. Homes") in connection with the Claims and the Legal Proceedings; and
- That MSAAC is entitled to withdraw its defense of Howard Lynch in the McGinnis Lawsuit; and

2. MSAAC's alternative motion for default judgment (ECF No. 19) is **GRANTED**, requiring that this Court declare:

- That MSAAC is not obligated under the MSAAC Policies to defend, indemnify, or reimburse Howard Lynch in connection with the Claims and the Legal Proceedings; and
- That MSAAC is entitled to withdraw its defense of Howard Lynch in the McGinnis Lawsuit.

3. The Clerk of Court shall **close** this case.

KEARNEY, J.